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15 ATTORNEYS FOR DEFENDANT-INTERVENOR

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16 UNITED STATES DISTRICT COURT  
17 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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18 SERVICE EMPLOYEES INTERNATIONAL UNION,  
19 LOCAL 790,

20 Plaintiff,

21 v.

22 JOSEPH P. NORELLI, Individually, and in his  
23 capacity as REGIONAL DIRECTOR, NATIONAL  
24 LABOR RELATIONS BOARD, REGION 20; *et al.*,

25 Defendants.

CASE No. 3:07-cv-2766 PJH

**DECLARATION OF STEPHEN J. BURKE,  
JR., IN SUPPORT OF HIS MOTION FOR  
LEAVE TO INTERVENE**

**HEARING DATE:** Wednesday, 11 July  
2007

**TIME:** 9:00 a.m.

**COURTROOM OF JUDGE HAMILTON,  
COURTROOM 3, 17TH FLOOR**

26 Pursuant to Section 1746 of the Judicial Code, 28 U.S.C. § 1746, Stephen J. Burke, Jr.,  
27 declares as follows:

28 1. My name is Stephen J. Burke, Jr. I have first hand knowledge of all of the facts set  
forth herein, and if called to testify could do so competently.

2. I am the sole Petitioner in the underlying NLRB cases that led up to this litigation, Case  
Nos. 20-UD-445 and 20-UD-447. See also *Covenant Aviation Security, LLC*, 349 NLRB No. 67 (30  
March 2007). I voluntarily dismissed the petition in Case No. 20-UD-445 in order to correct a minor  
technical defect in the timing of that petition, and the NLRB is now proceeding to hold the

1 deauthorization election based upon the second, timely petition that I filed in Case No. 20-UD-447.

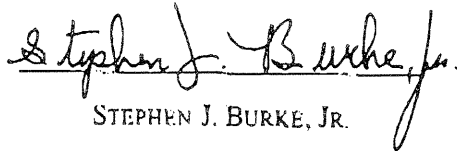
2 3. I am the sole person who has sought to intervene in the above-referenced federal court  
3 case. No other person or entity has filed to intervene along with me.

4 4. At certain times when my cases were pending before the NLRB, Jeff Michaelson, a  
5 former co-worker of mine, served as my representative to the NLRB. As I understand it, lay people  
6 can serve as representatives before the NLRB. Mr. Michaelson is not an attorney, but from time to  
7 time served as my lay representative before the NLRB, although he is no longer serving in that  
8 capacity. Mr. Michaelson does not in any way represent me in the above-referenced federal court case,  
9 no longer represents me before the NLRB, and is not a party or prospective intervenor in the above-  
10 referenced federal court case.

11 5. In the above-referenced federal court case, I have retained attorneys Glenn M.  
12 Taubman, W. James Young and Scott A. Wilson to serve as my attorneys and representatives. They  
13 are my sole representatives in this federal court, not Mr. Michaelson, who has no role in this federal  
14 court case either as a petitioner, attorney, representative, or as a prospective intervenor.

15 I declare under penalty of perjury that the foregoing is true and correct.

16 Executed on June 11, 2007.

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18 STEPHEN J. BURKE, JR.  
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